

### **REMARKS**

This communication responds to the Office Action mailed on October 20, 2008. Claims 2, 6-7, 9-10, 13-16, 18, 25 and 27-28 are amended, claims 1, 8, 12, 24 and 26 are canceled, and no claims are added in this communication. As a result, claims 2-3, 6-7, 9-10, 13-16, 18-23, 25 and 27-28 are now pending in this Application.

It is respectfully noted that all amendments have been made to expedite prosecution, and not for reasons related to patentability.

#### **§102 Rejection of the Claims**

Claims 1, 2, 6, 7, 10, 18-20 and 22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lim (U.S. 6,819,706).

#### **Regarding amended independent claim 9 and its dependent claims:**

Claim 9 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 9 has been rewritten in independent form including all of the limitations of their base claim (claim 1, which has been canceled now) and any intervening claims (claim 8, which has been canceled now), and thus believes that rewritten independent claim 9 is allowable. Claims 2, 6, 7 and 10 now depend from amended independent claim 1, and thus include all the elements of amended independent claim 1. Accordingly, the Applicant submits that dependent claims 2, 6, 7 and 10 are also allowable.

#### **Regarding amended independent claim 18 and its dependent claims:**

Claim 13 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 18 has been amended to incorporate **“the composite signal includes a plurality of protocols associated with the plurality of received signals”** as recited in claim 13. It is noted that the Office Action does not point out and the Applicant cannot find any part of Lim that discloses the feature of **“the composite signal includes a plurality of protocols associated with the plurality of received signals”** as recited

in claim 13. Accordingly, the Applicant submits that amended claim 18 (which includes the feature of claim 13) is not anticipated by Lim and thus is allowable.

Claims 19-20 and 22 depend from amended independent claim 18, and thus include all the elements of amended independent claim 18. Accordingly, the Applicant submits that dependent claims 19-20 and 22 are also not anticipated by Lim, and are thus allowable.

Therefore, the Applicant respectfully requests the reconsideration of the rejection under 35 USC § 102(e) and allowance of these claims.

#### §103 Rejection of the Claims

Claims 3, 8, 21 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lim in view of Lindquist et al. (U.S. 6,373,909, hereinafter “Lindquist”). Claims 12, 15 and 16 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Lim in view of Langberg et al. (U.S. 5,852,630, hereinafter “Langberg”). Claim 14 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawanabe et al. (U.S. 7,054,397, hereinafter “Kawanabe”) in view of Lim and Langberg. Claim 23 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Lim in view of Casabona et al. (U.S. 5,872,540, hereinafter “Casabona”). Claims 24, 26 and 27 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Lim and further in view of Cahn et al. (U.S. 6,047,017, hereinafter “Cahn”).

Claims 9, 13 and 28 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 9, 13 and 28 respectively have been amended in independent form, including all of the limitations of their base claims and any intervening claims. Therefore, rewritten independent claims 9, 13 and 28 (as well as their dependent claims) should be in condition for allowance.

As previously stated, the Applicant submits that amended independent claim 18 is allowable. This conclusion presented with respect to amended independent claim 18 also applies to dependent claims 21 and 23, which depend from amended independent claim 18. Since the cited references do not render amended independent claims 18 obvious, the cited references do not render dependent claims 21 and 23 of independent claim 18 obvious either, because any

claim depending from a nonobvious independent claim is also nonobvious. *See* M.P.E.P. § 2143.03.

Thus, the Applicant respectfully requests the reconsideration of the rejection under 35 USC § 103(a) and allowance of these claims.

*Allowable Subject Matter*

Claims 9, 13 and 28 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicant has rewritten claims 9, 13 and 28 respectively in independent form including all of the limitations of their base claim and any intervening claims, and thus believe that rewritten independent claims 9, 13 and 28 are allowable. Thus, the Applicant respectfully requests the allowance of written independent claims 9, 13 and 28.

**RESERVATION OF RIGHTS**

In the interest of clarity and brevity, every assertion made in the Office Action may not have been equally addressed. Silence regarding any such assertion does not constitute any admission or acquiescence. All rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference, are reserved. It is not admitted that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, timely objection to such reliance on Official Notice is made, and all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03, are reserved. Similarly, all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present

patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04, are reserved.

**CONCLUSION**

The Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (210) 308-5677 to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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